

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., May 26, 1992.

Members present: Mayor G. Michael Shelton; Councilman Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilman Payton M. Otey; Vice Mayor John M. Owen, III, arrived at 7:37 p.m.; Councilman Ronnie C. Rice; and Councilman James A. Vest.

Members absent: None.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of an adjourned Council meeting held on May 7, 1992; and the minutes of a regular Council meeting held on May 12, 1992, were approved as mailed.

City Manager Gross stated that a letter had been received from state senators suggesting that both Roanoke and Lynchburg may wish to provide presentations to Council concerning selecting the advantages of being included within their Metropolitan Statistical Area.

Mayor Shelton suggested that a task force be formed consisting of members of Council, members of the Executive Board of the Bedford Chamber of Commerce, and members of the Board of Supervisors. The

task force could meet with representatives of the Roanoke and Lynchburg Chambers of Commerce, then issue a report.

Discussion ensued regarding action being taken by the City concerning reports of loud noise and vulgar language coming from the basketball court near Westview Avenue. Vice Mayor Owen arrived at 7:37 p.m., during this discussion.

On motion by Councilman Vest, seconded by Councilwoman Grahame, voted upon and carried unanimously, the following item was added to the agenda: Executive session pursuant to Section 2.1-344(a)(7) of the Code of Virginia of 1950, as amended, for consultation with legal counsel and staff regarding Bedford County lawsuit against the City of Bedford.

The consent agenda consisted of the following item:

Appointment of Mrs. Nancy Barker, 1636 Oakwood Street, to the Central Virginia Area Agency on Aging Advisory Council to fill an unexpired term, said term to expire August 31, 1992.

Councilman Brookshier moved that the consent agenda be adopted. The motion was seconded by Councilman Otey, voted upon and carried unanimously.

Mr. Barry Thompson, Assistant to the City Manager, made a presentation reviewing updates to the proposed 1992-93 budget.

The City Manager stated that the budget is being balanced by the reduction of the contingency fund, a trend that cannot continue.

Council proceeded to have a work session on the proposed budget and discussion ensued regarding various items in the budget.

Discussion ensued regarding a memorandum from the Director of Community Services about leaf mulch/compost. The estimated cost to generate one ton of leaf mulch is \$30.09. It was recommended by the Director that the City continue selling the mulch for \$5.00 per ton.

Council concurred to continue selling the leaf mulch/compost at \$5.00 per ton, and to abolish the restriction of selling it to only those individuals with city stickers on their vehicles.

The Clerk of Council read aloud the following proposed ordinance:

ORDINANCE

BE IT ORDAINED by the Council of the City of Bedford, Virginia, that there be, and is hereby levied for the fiscal year 1992-93, a tax of \$.71 per one hundred dollars of assessed valuation on all taxable real estate located in the City, the respective levy hereby ordered being also applicable to the real estate and tangible personal property of public service corporations within the limitations specified by Section 58.1-2606 of the Code of Virginia of 1950, as amended, based upon the assessment thereof fixed by the State Corporation Commission and duly certified.

Councilwoman Grahame moved that Council adopt the ordinance establishing the real estate tax rate for Fiscal Year 1992-93 at \$.71 per one hundred dollars of assessed valuation. The motion was seconded by Councilman Vest, voted upon and carried unanimously by the following roll call vote:

Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Mayor Shelton	aye

The Clerk of Council read aloud the following proposed ordinance:

ORDINANCE

BE IT ORDAINED by the Council of the City of Bedford, Virginia, that there be, and is hereby levied, for the calendar year 1992, a tax of \$1.50 per one hundred dollars of one hundred per centum (100%) of assessed value on all taxable tangible personal property, including property separately classified in Section 58.1-3503 of the Code of Virginia of 1950, as amended, unless exempted from taxation or subject to a different rate under this ordinance. Household goods and personal effects as classified in Section 58.1-3504 and horses, mules and other kindred animals, hogs, poultry, grains and other feeds used for the nurture of farm animals, grain and tobacco as such items are classified in Section 58.1-3505 are exempted in whole from tangible personal property taxation. The following items are taxed at a levy of \$1.30 per one hundred dollars of one hundred per centum (100%) of the assessed valuation: (a) cattle, sheep and goats, and farm machinery and farm implements as separately classified in Section 58.1-3505; and (b) machinery and tools as separately classified in Section 58.1-3507.

Councilman Vest moved that Council adopt the ordinance establishing the personal property tax rate for Calendar Year 1991. The motion was seconded by Councilwoman Grahame, voted upon and carried unanimously by the following roll call vote:

Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Mayor Shelton	aye

The Clerk of Council read aloud the following proposed ordinance:

ORDINANCE

BE IT ORDAINED that the City Council of the City of Bedford, Virginia, hereby directs that the funds as set out in the budget for Fiscal Year 1992-93 for the City of Bedford are appropriated and set aside to the General Fund, to the Water and Sewer Fund, to the Electric Fund, and to the Contingency Fund as shown in said budget, and that the City

Manager is authorized to expend the funds in the General Fund, Water and Sewer Fund, and Electric Fund in accordance with said budget and in accordance with prior appropriations.

Councilwoman Grahame moved that Council adopt the ordinance appropriating funds as set out in the budget for Fiscal Year 1992-93 and authorizing the City Manager to expend the funds in accordance with said budget. The motion was seconded by Councilman Brookshier, voted upon and carried unanimously by the following roll call vote:

Councilman Otey	aye
Vice Mayor Owen	aye
Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Mayor Shelton	aye

The City Manager indicated that a memorandum had been received from the Department of Parks, Recreation and Cemeteries requesting that Council permit the closing of Bedford Avenue Extension from the Health Department to the Primary School entrances during the times and dates shown below for the purpose of hosting various district and state ball tournaments:

July 13 through July 17	from 5 to 9 p.m.
July 18 through July 21	from 3 to 9 p.m.
July 22 and July 23	if necessary

Councilman Brookshier moved for the approval to close the streets as described. The motion was seconded by Councilman Rice.

Discussion ensued regarding Council abolishing the requirement for signatures to be obtained from property owners affected during street closings and allowing letters to be sent instead. The City Manager is to look at this policy and report back to Council at the next meeting.

The motion was then voted upon and carried unanimously.

Councilman Otey moved that Council adjourn into executive session pursuant to Section 2.1-344(a)(7) of the Code of Virginia of 1950, as amended, for consultation with legal counsel and staff regarding Bedford County lawsuit against the City of Bedford; and pursuant to the Code of Virginia of 1950, as amended, Section 2.1-344(a)(6) property. The motion was seconded by Councilman Rice, voted upon and carried unanimously by the following roll call vote:

Vice Mayor Owen	aye
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Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Mayor Shelton	aye

Council adjourned into executive session at 8:40 p.m. Non-council members attending were: Council member-elect W. D. Tharp, City Manager Gross, City Attorney Berry, and Clerk of the Council Hatcher.

Council reconvened into open session at 10:07 p.m.

The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

Councilwoman Grahame moved that the resolution be adopted as read. The motion was seconded by Councilman Otey, voted upon and carried unanimously by the following roll call vote:

Councilman Rice	aye
Councilman Vest	aye
Councilman Brookshier	aye
Councilwoman Grahame	aye
Councilman Otey	aye
Vice Mayor Owen	aye
Mayor Shelton	aye

Mayor Shelton adjourned the meeting at 10:08 p.m.